

## **REMARKS/ARGUMENTS**

Applicants have carefully reviewed the Office Action mailed September 14, 2009, in which claims 41-58 are pending and were rejected. Reconsideration, examination and allowance of all pending claims are respectfully requested.

### ***Claim Objections***

Claims 41 and 57 were objected to as containing certain grammatical errors. These grammatical errors have been corrected as suggested by the Examiner. No new matter has been introduced.

### ***Claim Rejections—35 USC 112***

Claims 41, 48, 53 and 57 were rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully disagree and traverse the rejection.

Claims 48 and 53 have been cancelled.

Support for the matter objected to in claims 41 and 57 are supported by Figures 3 and 4, which are photographs of filaments that show that the portion of the filament treated extends “for a length that is at least twice the thickness of the filament” as recited in claim 41 and “wherein a plurality of the one or more metallic filaments each have a diameter and wherein the diameter of each of the plurality of metal filaments is constant along the portion subsequent to the treating step” of claim 57. That “the portion encircles the metallic filament for the length” (of claim 41) is taught in paragraph 36: “One example of chemical etching includes using an acid etch solution to treat...*the surface* of the one or more structural elements.” This conveys, with reasonable clarity, that the applicants were in possession of the invention as currently claimed as of the time of filing. Accordingly, applicants request the rejection be withdrawn.

### ***New Claims***

Claims 59-61 have been added. Support for these claims may be found, for example, in paragraphs 35-41 of the application as filed and in claim 23 as filed. No new matter has been introduced.

### ***35 U.S.C. § 102(b) Rejections***

Claim 41 was rejected under 35 U.S.C. § 102(b) as being anticipated by *Cohen* (U.S. Patent 5,330,521). Applicants respectfully traverse this rejection.

Claim 41 now recites “wherein the reinforcing member is a braid” and “wherein other structural elements that have not undergone the treating step are also used in creating the braid.” *Cohen* does not disclose a braid or a braid with such limitations.

For at least these reasons, applicants submit that *Cohen* does not anticipate claim 41 as amended and, consequently, that claim 41 is in condition for allowance.

### ***35 U.S.C. § 103(a) Rejections***

Claims 41-53 and 55-56 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Parisi et al.* (U.S. Patent Publication 2001/0027310) in view of *Cohen*. Applicants respectfully traverse this rejection.

Claim 41 recites “wherein other structural elements that have not undergone the treating step are also used in creating the braid.” Neither reference teaches or suggests a braid reinforcing member that includes both elements that have undergone a treatment process that provides a final surface area that is greater than an initial surface area and elements that have not undergone this process.

As *Cohen* does not cure the deficiencies of *Parisi* with respect to independent claims 41, applicants respectfully submit that this claim is allowable over the cited references. As claims 42-47 depend from claim 41, which applicants submit are allowable, and contain additional elements, applicants submit that these claims are likewise in condition for allowance. Claims 55-56 were cancelled.

Claims 41-53 and 55-56 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Parisi et al.* in view of *Bates*, US2002/009278 and claim 54 was rejected under 35 USC § 103(a) as being unpatentable over Parisi in view of Bates and further in view of Lee, USPN 6,464,889. Applicants respectfully traverse this rejection.

*Bates* teaches a medical device with an assembly component 14 that is abraded and roughened to increase the surface roughness. *Lee* teaches a chemical etching process.

None of the references teach or suggest a braid reinforcing member that includes both elements that have undergone a treatment process that provides a final surface area that is greater than an initial surface area and elements that have not undergone this process.

As neither *Cohen* nor *Bates* cure the deficiencies of *Parisi* with respect to independent claims 41, applicants respectfully submit that this claim is allowable over the cited references. As claims 42-43 depend from claim 41, which applicants submit are allowable, and contain additional elements, applicants submit that these claims are likewise in condition for allowance. Claims 55-56 have been cancelled.

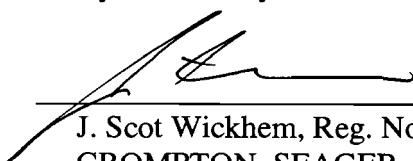
New independent claim 59 recites “wherein other structural elements that have not undergone the treating step are also used in creating the braid.” As such new claims 59-61 are allowable over the cited art for the reasons discussed above.

Further examination and reconsideration are respectfully requested. It is respectfully submitted that the claims are now in condition for allowance, and issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,  
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By his attorney,

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